

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 18, 1999**

DIVISION ONE

B127314      Los Angeles County, D.C.F.S.                      (Not For Publication)  
B131469      v.  
                Paulette P.

The orders appealed from are affirmed

Ortega, J.

We concur:    Spencer, P.J.  
                     Masterson, J.

B114086      People    (Not For Publication)  
                v.  
                Newman

The judgment is affirmed.

Ortega, J.

We concur:    Spencer, P.J.  
                     Vogel (Miriam A.), J.

B117804      Lyon    (Not for Publication)  
                v.  
                Rand Corp.

The judgment and order appealed from are affirmed. RAND is awarded its costs on appeal.

Ortega, Acting P.J.

We concur:    Vogel (Miriam A.), J.  
                     Masterson, J.

DIVISION ONE (Continued)

B128502	People v. Cooper	(Not for Publication)
B131663	In re Cooper on Habeas Corpus	

The judgment is affirmed. The petition for a writ of habeas corpus is denied.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Masterson, J.

B126161	People v. Jackson
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Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

B130096	Compton Firefighters Union Local 2216 et al v. SCLA City of Compton	(Not for Publication)
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The judgment (order denying petition for writ of mandamus) is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Masterson, J.

DIVISION TWO

B120053      King-Shen Hsu      (Not for Publication)  
v.  
EIC Group, Inc. et al

The judgment is affirmed. Respondent(s) to recover costs.

Boren, P.J.

We Concur: Nott, J.  
Cooper, J.

105975-99

The HONORABLE Roger W. Boren, Presiding Justice of the Court of Appeal, Second Appellate District, Division Two, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Four, as a Justice thereof, on the following dates:

September 17, 1999

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: September 2, 1999

Ronald M. George  
Chief Justice of California and  
Chairperson of the Judicial Council

## DIVISION TWO (Continued)

106456-99

The HONORABLE Morio L. Fukuto, Retired Associate Justice of the Court of Appeal, Second Appellate District, Division Two, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Two, as a Justice thereof, on the following dates:

October 25, 1999 to November 5, 1999

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: October 22, 1999

Ronald M. George  
Chief Justice of California and  
Chairperson of the Judicial Council

DIVISION THREE

[illegible]

The judgment (order continuing minor a ward of the court under Welf. & Inst. Code, sec. 602) is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

### DIVISION THREE (Continued)

B120766 People (Not for Publication)  
v.  
Williams

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Schneider, J. (Assigned)

B123320      People                                  (Not for Publication)  
v.  
Scott & Garceau

The judgment as to Scott is affirmed. The judgment as to Garceau is modified by imposing a \$1,000 restitution fine pursuant to Penal Code section 1202.4, subdivision (b), instead of pursuant to Penal Code section 1202.4, subdivision (f); by imposing a \$1,000 restitution fine pursuant to Penal Code section 1202.45; and by imposing a \$100 laboratory analysis fee pursuant to Health and Safety Code section 11372.5, subdivision (a), instead of pursuant to Penal Code section 1202.4, subdivision (f); and, as modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment as to Garceau reflecting the above modifications.

Croskey, Acting P.J.

We concur: Kitching, J.  
Schneider, J. (Assigned)

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., Dau, J. (assigned), and Vivian Guzman, Deputy Clerk.

B133053      Garcetti  
                  v.  
                  Superior Court  
                  Pierre, rpi

Merits:

Argued by Fred Klink, deputy district attorney, for petitioner and Jack T. Weedon, deputy public defender, for real party in interest. Cause submitted.

B134433      In re De La Rosa  
                  on  
                  Habeas Corpus

Merits:

Argued by John Hamilton Scott, deputy public defender, for petitioner, Frederick R. Bennett, deputy county counsel, for respondent, and Otis L. Hubbard, deputy district attorney, for real party in interest. Cause submitted.

B114736      People  
                  v.  
                  Johnson

Merits:

Argued by Jeff Price for appellant and Kerrigan M. Keach, deputy attorney general, for respondent. Cause submitted.

B125766      Mariscal  
                  v.  
                  Mariscal

Merits:

Argued by Dan Mariscal, in propria persona, and no appearance on behalf of respondent. Cause submitted.

DIVISION FOUR (Continued)

Court recessed.

Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., Dau, J. (Assigned), and Vivian Guzman, Deputy Clerk.

B130592     Lanz  
              v.  
              Santa Monica Rent Control Board

Merits:

Argued by Harold E. Griffin for appellant and Jacqueline A. Boyd, for respondent. Cause submitted.

B123838     People v. Colburn  
B133459     In re Colburn on Habeas Corpus

Merits:

Argued by A. William Bartz, Jr. for appellant-petitioner and Martin L. Pitha, deputy attorney general, for respondent. Cause submitted.

B120242     Hill  
              v.  
              Hall & Phillips, et al.

Merits:

Argued by Mark P. Robinson for appellant and Marc Marmaro for respondents. Cause submitted.

B131538     Golant  
              v.  
              Levy

Merits:

Argued by Joseph H. Golant, in propria persona, and Patricia A. Millett for respondent. Cause submitted.

DIVISION FOUR (Continued)

B128574 Wells Fargo Bank  
v.  
Gentner and Company

Merits:

Argued by Susan K. Jamison for appellant and Richard J. Foster for respondent. Cause submitted.

Each of the following:

B126166 People v. Martinez  
B123528 People v. Acosta and Basua  
B124938 People v. Moore  
B120780 People v. Villalon  
B125662 People v. Davis  
B122890 People v. Rodriguez and Vizcaino  
B130502 People v. Zaragoza  
B127685 People v. Fikes  
B134598 Keith and Debra M. v. S.C.L.A. (D.C.F.S.)  
B131939 Department. of Children and Family Services v. Jeri D.  
B131467 D.C.F.S. v. Marquette N. and Alexander A.  
B125267 Hofstadter v. PNL Asset Management

Argument waived, caused submitted.

Court Adjourned.

B132357 Apri Ins. Co.  
v.  
Superior Court, Los Angeles County  
(Daniele Schatteman, rpi)

Filed order modifying opinion. (No change in judgment.)



DIVISION FIVE

B133629      Emelia Pasternak et al.  
v.  
Pacificare Behavioral Health of California et al.

Filed order denying petition for rehearing.

## DIVISION SEVEN

B113469 County of Los Angeles, (Not for Publication)  
Office of The District Attorney  
v.  
Civil Service Commission of The County Of Los Angeles  
Larry D. Walls

The judgment is reversed. The cause is remanded to the superior court with directions to issue a writ commanding the Civil Service Commission to vacate its order and enter an order denying Walls' appeal to the Commission concerning his PEs for the periods 1988-1991. The parties are to bear their own costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                      Woods, J.